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House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Mr. NUNES).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

HOUSE OF REPRESENTATIVES,

Washington, DC, July 19, 2004.

I hereby appoint the Honorable DEVIN NUNES to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,

Speaker of the House of Representatives.

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 20, 2004, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to not to exceed 5 minutes.

The Chair recognizes the gentleman from Florida (Mr. STEARNS) for 5 minutes.

IRAQI HANDOVER: GIFT OF INDEPENDENCE

Mr. STEARNS. Mr. Speaker, while we were in our districts late June and early July, celebrating the anniversary of our independence day, we handed over to the citizens of Iraq the gift of their independence, 2 days early no less.

Barely on anyone's radar screen, sovereignty passed from the Coalition Provisional Authority to the new Iraqi provisional government. By most barometers, except for the naysayers of

this administration, this was a big success. In the United States, we kept our word of giving the Iraqi people back their country. On Wall Street, in Asia and in Europe, the stock markets rallied. Gas prices continued their slide down: Average gasoline prices tumbled 7 cents a gallon from mid June to mid July, according to the new report from AAA. But to whom was this triumph most important? The free Iraqi people.

As I say, there are naysayers who likely did not celebrate this good news: The radical Islamist world, terrorists, al Qaeda, and a few political partisans. To them, it is not about Iraq, the people, it is about the President they want to see fail.

On what grounds do I say this? Well, on Monday, June 28, CNN heard Wendy Sherman, a former State Department counselor in the Clinton administration, say "I hope we have turned a corner, but obviously I think we need a change in presidents to really change the corner."

The President overthrew a brutal dictatorship, he arrested Saddam Hussein, he has since handed him over to Iraqi courts, restored or built new infrastructure, and set up a provisional government within 1 year following the attacks, and we need a change in the Presidency? Mr. Speaker, if you had to pick a team, would you rather play with those who see victory or those who see defeat?

Now, back to the Iraqi people. A recent poll of 2,200 Iraqi households by an Iraqi firm shows that half of Iraqis interviewed believe Iraq is headed in the right direction; 65 percent think they will be better off; 73 percent believe the handover of authority to the interim government will improve the current situation.

The Iraqi people now enjoy an administrative law system with sovereignty, justice, and rights of free expression, justice, thought, and conscience. That such optimism abounds following dec-

ades of tyranny, war, and terror reminds me of a speech by a citizen of a former colony of the British empire at its waning days, spoken at their handover, a citizen who made an impassioned plea for his countrymen to march into the destiny before them and create a land of democracy and freedom. That was August 14, 1947, by the eventual prime minister, Mr. Nehru, when he gave his speech on the granting of Indian independence.

Of course, there are spectacular differences, Mr. Speaker, between the two countries and the situation. India was a colony of another nation, not a sovereign country; whereas, Iraq has been hostage to an internal tyrant of their own blood and nationality. However, the mood of a nation and a people on the cusp of a new day, standing in the sun on their own, with the blessings of the free world, is somewhat transferable.

Mr. Nehru's entire speech is inspiring and lyrical, but there are two particular passages I find applicable to the handover the world is watching now. Nehru begins, "A moment comes, which comes but rarely in history, when we step out from the old to the new, when an age ends, and when the soul of a nation, long suppressed, finds utterance. It is fitting that at this solemn moment we take the pledge of dedication to the service of India and her people and to the still larger cause of humanity."

Mr. Speaker, the Iraqis too are the soul of a nation, long suppressed, finding utterance, and I wish them the joys and the blessings of liberty. And I close with this uplifting benediction of Mr. Nehru's. "To the nations and peoples of the world we send greetings and pledge ourselves to cooperate with them in furthering peace, freedom, and democracy."

Nehru admonished his fellow Indians that it would not be enough to work for peace within India's border, or the border with Pakistan, but that to be truly

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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peaceful citizens of the world, Indians must cooperate with their international neighbors in "furthering peace, freedom, and democracy."

I wish and I hope that citizens of Iraq will think this, and think not only of civil rest within their great nation, but the opportunity for the dawning of a new day across the troubled swath of their neighborhood of the world.

LACK OF RULE OF LAW IN RUSSIA

The SPEAKER pro tempore. Pursuant to the order of the House of January 20, 2004, the gentleman from California (Mr. LANTOS) is recognized during morning hour debates for 5 minutes.

GENERAL LEAVE

Mr. LANTOS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the topic of my 5-minute speech, and that I may include extraneous material on the same.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LANTOS. Mr. Speaker, I rise today to call the attention of my colleagues to my serious concern with the lack of the rule of law in Russia.

Fifteen years ago, all of us watched with great excitement and great optimism as the Communist system came to a resounding close while the Russian people and the government went through an historic transformation. We saw President Boris Yeltsin stand up against tanks in the streets of Moscow, and we watched as Russia moved to embrace Democratic change.

Mr. Speaker, unfortunately, in the last few years, we have watched as the government of Mr. Putin has slowly but surely pulled back from Democratic change. Freedom of the press has increasingly declined, particularly in the realm of television. Elections have been less open and less Democratic. The rule of law has been proscribed by government regulation. Increasingly, government control has restricted the freedoms that had just begun to blossom in post-Soviet Russia.

Mr. Speaker, the most recent, and in many ways the most dramatic, example of this decline of the rule of law in Russia has been the Russian government's political prosecution and persecution of Mikhail Khodorkovsky, the former chairman of Yuko Oil, one of Russia's largest companies, and the one that had gone the farthest in moving towards transparent western market-oriented business practices. It was the Russian company which had made the greatest progress in corporate transparency. The company was on the verge of an unprecedented business deal with Western oil companies.

The Russian prosecutors, clearly at the demand of the political leadership, initiated a political prosecution of Mr. Khodorkovsky. He was arrested last

summer by a mob of armed security forces as his plane landed at a Siberian airfield. Since that time, he has been held in a Russian jail. He has been limited in his contact with his own attorneys, he is not permitted to communicate with the outside world, and he appears in court in a steel cage.

This treatment of an individual who at this point has a tax dispute with the Putin regime violates all principles of due process and the rule of law.

Mr. Speaker, I am calling attention today of our colleagues in the Congress to this decline of civil and human rights in Russia. Together with my distinguished colleague, the gentleman from California (Mr. COX), we have established the Russia Democracy Caucus to work for the development of the rule of law and the consolidation of civil and human rights in Russia.

Mr. Speaker, a number of my colleagues will be submitting their statements joining me in deploring the rollback of freedom and civil rights in Russia during recent years.

Mr. Speaker, last month, on a visit to Moscow, I met with Ambassador Alexander Vershbow and other embassy officials to get an update on the political situation in that country. I also met with legal experts and human rights groups who provided a grim account of the recurring threats to individual and political freedoms that regrettably harkens back to the old Soviet days.

Respect for human rights is the cornerstone of a civilized society. Even the Russian constitution recognizes this fact, as provided in Article 2:

The individual and the individual's rights and freedoms represent the highest value. It is the duty of the state to recognize, respect, and protect the rights and freedoms of the individual and the citizen.

Our own commitment to human rights as it relates to Russia and other former Communist countries is manifest in the Helsinki Final Act in 1975, in which we effectively utilized the so-called "Basket Three" of that document to publicly hold the Soviet Union accountable for its violations of human rights and civil liberties.

For a brief moment, during President Yeltsin's presidency, we thought indeed there would be freedom and liberty in Russia. It was during this time, the G-8 member nations allowed Russia to participate as an ad-hoc member, so long as it adhered to the principles of Constitutional democracy, rule of law and human rights. My colleague CHRIS COX and Senator JOE BIDEN have spoken out recently about whether Russia, under President Vladimir Putin, deserves a place at the G-8 table and indeed if that country should host the next session in 2006.

I would also remind my colleagues that Resolution H. Con. Res. 336, which enumerates these shortfalls and recommends that Russia be denied participation in G-8 sessions until it demonstrates its worthiness as a Democratic state, recently passed the House International Relations Committee. A similar measure is co-sponsored by Senators MCCAIN and LIEBERMAN.

Mr. Speaker, our own State Department has documented what we have learned from a variety of sources concerning the deteriorating situation as it relates to rule of law, freedom

of expression, and human rights in Russia. Over the past year, reports from human rights groups, NGOs, the European Union, legal scholars, and wide spread media reporting of conditions in Russia bear out what our own government has reported. On Secretary of State's last trip to Russia, he made it a point to voice his concerns directly to President Putin and publicly expressed them through the limited media outlets that exist in Moscow.

There is much that concerns me about Russia today. In view of the time limitation I cannot address all of them, but I would like to mention a few that I believe deserve urgent attention.

First is the case against Mr. Mikhail Khodorkovsky, chairman of YUKOS Oil Company. This week Mr. Khodorkovsky goes to trial in a court that is hardly known for its integrity or independence. Virtually all of the legal entities and courts outside Russia have ruled against the Russian government, generally finding the cases lack in legal merit and being political in nature. Little wonder Mr. Khodorkovsky is already a condemned man. Hardly anyone inside or outside Russia seriously believes he will receive a fair and just trial.

Since his arbitrary arrest last fall by masked gunmen and detention, Mr. Khodorkovsky has been subjected to numerous violations of his due process rights. The Kremlin has directed the case against him for purposes that are widely seen as political, not criminal. Indeed the case is being held in the notoriously corrupt Basmanov Court, which is controlled by Kremlin and Russia security forces. His corporate and lawyers' offices, foundations, daughter's school have been repeatedly searched without warrant or warning.

The relentless attacks on the YUKOS Company and efforts to cripple the once prominent and Western-oriented company raises questions about the true motives by the authorities involved. It is one thing to bring a case against Mr. Khodorkovsky and other officers in the company, depending on the charges brought against them. But clearly the Kremlin has other motives as well, not the least of which is to bring about a stake takeover or ownership of the once thriving private company.

Mr. Speaker, I draw the attention of my colleagues to Senate Res. 258, which expresses concern about the circumstances surrounding Mr. Khodorkovsky's case, and which has passed the full Senate.

My second concern has to do with state ownership and control of the media in Russia. Under President Boris Yeltsin, privately owned and independently operated media began to take root and for the first time citizens of that country could read and view objectively reported news and even criticism of government officials, even the president himself.

The vanguard of this new era was Mr. Vladimir Gusinsky, an entrepreneur who had the genius of a William Randolph Hearst and the resources to build a media empire worthy of any in the West. However, Boris Yeltsin's successor had no tolerance and certainly not the temperament to allow any criticism of him or his politics.

The result, as we have seen in subsequent events, was predictable. An angry Vladimir Putin, utilizing extralegal means, forced a shutdown of Mr. Gusinsky's media outlets, save one—the prominent and popular NTV television station, which was taken over by the